

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DALE KNAPINSKI,  
  
Defendant.

CASE NO. CR19-0239-JCC  
  
ORDER

This matter comes before the Court on Defendant Dale Knapinski's unopposed motion to proceed with a remote guilty plea hearing (Dkt. No. 23). Having thoroughly considered the motion and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

**I. BACKGROUND**

On November 13, 2019, Mr. Knapinski was charged by indictment with one count of possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(b) and (b)(2). (Dkt. No. 1.) Mr. Knapinski has been released on bond with special conditions. (*See* Dkt. Nos. 6, 7, 22.) After multiple continuances, trial is presently scheduled for February 8, 2021. (*See* Dkt. Nos. 13, 18, 20.) The parties have now reached a plea agreement and Mr. Knapinski moves to enter a guilty plea by telephone or video conference. (Dkt. No. 23.) According to the motion, under the plea agreement, the Government will recommend no more than 27 months of

1 confinement, and Mr. Knapinski would like to take responsibility in this matter and move  
2 forward in a timely fashion. (Dkt. No. 23 at 2.) The Government does not oppose the request.

## 3 **II. DISCUSSION**

4 Because of the health risks posed by the COVID-19 pandemic, the Court may conduct a  
5 felony plea hearing by video conference if the defendant consents and the Court finds that the  
6 plea hearing cannot be further delayed without serious harm to the interests of justice. *See*  
7 Coronavirus Aid, Relief, and Economic Security (CARES) Act, Pub. L. No. 116-136,  
8 §§ 15002(b)(2)(A), (b)(4), 134 Stat. 281, 528–29 (2020); W.D. Wash. General Order No. 14-20  
9 (Sept. 24, 2020), 04-20 (Mar. 30, 2020). Mr. Knapinski has a strong interest in the speedy  
10 resolution of this matter. Under General Order 15-20, in-person proceedings will not resume  
11 until at least January 1, 2021. *See* W.D. Wash. General Order No. 15-20 at 2 (Oct. 2, 2020). The  
12 Court finds that unnecessarily delaying Mr. Knapinski's guilty plea hearing, and therefore his  
13 sentencing, for at least several weeks, despite having already reached a plea agreement with the  
14 Government, would cause serious harm to the interests of justice.

## 17 **III. CONCLUSION**

18 For the foregoing reasons, the Court GRANTS Defendant's unopposed motion to proceed  
19 with a remote guilty plea hearing (Dkt. No. 23). The Court ORDERS that Defendant's guilty  
20 plea hearing before a Magistrate Judge be set as soon as practicable and be conducted by video  
21 conference. The Court DIRECTS the presiding judge to establish a record of Defendant's  
22 consent for the hearing, in accordance with General Order No. 04-20.

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1 DATED this 17th day of December 2020.

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5 John C. Coughenour  
6 UNITED STATES DISTRICT JUDGE  
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